

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

**WILLIE FRANK WILLIAMS, JR.,**

**Plaintiff,**

**v.**

**STUART JENKINS, et al.,**

**Defendants.**


§  
§  
§  
§  
§  
§  
§

**NO. 3:11-CV-589-M (BF)**

**FINDINGS, CONCLUSIONS AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE**

The District Court referred this matter to the United States Magistrate Judge for findings and recommendation. On March 15, 2011, Plaintiff filed a Motion for Preliminary Injunction, asking the Court to prohibit the Texas Department of Criminal Justice, Parole Division from imposing Special Condition O.33 upon his parole without first affording him procedural due process. Special Condition O.33 requires Plaintiff to be evaluated for possible inclusion in the sex offender program, Special Condition X. The Court held a hearing on May 10, 2011. At the hearing, Defendant indicated that Plaintiff will not be subjected to either Special Condition O.33 or, consequently, Special Condition X. Plaintiff then notified the Court that he wishes to withdraw his Motion for Preliminary Injunction. Therefore, the Court recommends that the case be **DISMISSED** without prejudice.

SIGNED, May 12, 2011.

  
\_\_\_\_\_  
PAUL D. STICKNEY  
UNITED STATES MAGISTRATE JUDGE

**INSTRUCTIONS FOR SERVICE AND**  
**NOTICE OF RIGHT TO APPEAL/OBJECT**

The United States District Clerk shall serve a true copy of these findings, conclusions and recommendation on Plaintiff. Pursuant to Title 28, United States Code, Section 636(b)(1), any party who desires to object to these findings, conclusions and recommendation must serve and file written objections within fourteen days after being served with a copy. A party filing objections must specifically identify those findings, conclusions or recommendation to which objections are being made. The District Court need not consider frivolous, conclusory or general objections. A party's failure to file such written objections to these proposed findings, conclusions and recommendation shall bar that party from a *de novo* determination by the District Court. *See Thomas v. Arn*, 474 U.S. 140, 150, 106 S. Ct. 466, 472 (1985). Additionally, any failure to file written objections to the proposed findings, conclusions and recommendation within fourteen days after being served with a copy shall bar the aggrieved party from appealing the factual findings and legal conclusions of the Magistrate Judge that are accepted by the District Court, except upon grounds of plain error. *Douglass v. United Services Auto. Ass'n*, 79 F.3d 1415, 1417 (5th Cir. 1996) (en banc).